
Appeal Decision

Site visit made on 20 June 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 July 2017

Appeal Ref: APP/B1740/D/17/3173621

8 Christchurch Bay Road, Barton on Sea, New Milton BH25 7NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Colin McKinstry against the decision of New Forest District Council.
 - The application Ref 17/10069, dated 9 January 2017, was refused by notice dated 27 March 2017.
 - The development proposed is for an orangery to rear of dwelling and garage conversion to create additional accommodation.
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Decision

1. I dismiss the appeal.

Main Issues

2. The main issues are the effect that the appeal proposal would have upon the character and appearance of the area; and upon the living conditions of the occupiers of 6 Christchurch Bay Road and 1 Barton Wood Road, with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal proposal relates to a modernised, detached chalet dwelling set within a street of varied architectural forms and designs; some of these also have detached garages, with 10 Christchurch Bay Road to the south, having one of two storey construction. The subject garage which is located within the rear garden of the host dwelling is close to the north-western corner of the site, adjacent to 6 Christchurch Bay Road and 1 Barton Wood Road, and it is of hipped roof construction.
4. The proposal would increase the height of the garage, including its eaves, with a hipped gable to front and rear, including a dormer window that would look into the rear garden of the appeal site. As this would be set quite far back from the road, I find that the impact on the street scene would be relatively low and, whilst of a different design, would not be too dissimilar to that built at no.10. Overall I find that the proposal would complement the design and form of the host dwelling and I consider that it would not give rise to material harm to the character and appearance of the area.

5. In respect of the first paragraph of Policy CS2 of the New Forest District outside the National Park Core Strategy (2009) (CS) the proposal would be well designed and would respect the character, identity and context of the town.

Living Conditions

6. However, whilst the ridge line of the proposed garage would only be 500mm higher, by virtue of the cropped gable roof form, its overall scale would increase more significantly. The proposal would increase the impact upon no.6, although it would be located adjacent to the rear south-west corner of its garden and with the dwelling some distance and orientated away from the appeal dwelling I consider that, on balance, the outlook from that property would not be unduly harmed.
7. Notwithstanding this, the subject building is in close proximity to the rear elevation of 1 Barton Wood Road and would be more overbearing than the existing situation. I consider that the proposal would have a harmful effect upon the outlook from this dwelling which would conflict with the second paragraph of CS Policy CS2 which requires a proposal's relationship to adjoining buildings not to cause unacceptable effects by reason of visual intrusion or other adverse impact on local amenities.
8. I do, however, accept that views from the proposed dormer window into the rear garden of 1 Barton Wood Road would be oblique and restricted to the end of the plot of that property with the vast majority of direct views being solely into the rear garden of the appeal property itself. Therefore, there would be no material loss of privacy to neighbours and I acknowledge and respect that the appellant has been seeking to act in a neighbourly fashion. Further, I can understand his displeasure at how their proposal was determined, but I can only deal with the planning merits of the proposal before me.

Conclusion

9. I have found that the proposal would not give rise to demonstrable harm to the impact upon the character and appearance of the area however, this does not outweigh the harm that I have identified upon the outlook from 1 Barton Wood Road. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR